

Organization Bldg./Room

UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

Alexandria, VA. 22313-1450

If Undeliverable Return In Ten Days

Official Business

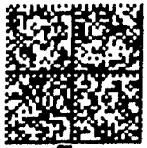
Penalty For Private Use, \$300

U.S. OFFICIAL MAIL
PENALTY FOR
PRIVATE USE \$300

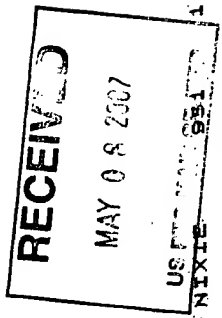


02 1A
0004205065 APR 30 2007

MAILED FROM ZIP CODE 22314



AN EQUAL OPPORTUNITY EMPLOYER



21 05/03/07

RETURN TO SENDER
NOT DELIVERABLE
UNABLE TO FORWARD

BC: 22313145050 *0417-08215-30-40

9501435955 0010
2231301450



UNITED STATES PATENT AND TRADEMARK OFFICE

DAC / IJW

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

NANCY R. SIMON
SIMON & KOERNER LLP
10052 PASADENA AVENUE
SUITE B
CUPERTINO CA 95014

COPY MAILED

APR 30 2007

OFFICE OF PETITIONS

In re Application of :
Cappels, et al. : DECISION ON PETITION
Application No. 09/160,503 :
Filed: September 24, 1998 :
For: P2267/PA1021 :

This is a decision on the petition renewed under 37 CFR 1.137(b), filed March 30, 2007, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the final Office action mailed April 25, 2006. The Office action set a three month shortened statutory period of time for reply. No extensions of time in accordance with 37 CFR 1.136(a) were timely requested. Notice of Abandonment was mailed March 19, 2007.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

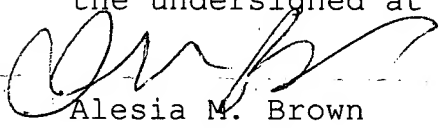
The instant petition has been reviewed and found in compliance with the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely submit a proper reply to the final Office action is accepted as having been unintentionally delayed.

The Notice of Appeal has been entered and made of record. The two-month period for filing an appeal brief (accompanied by the

fee required by 37 CFR 1.17(c)), runs from the date of this decision.

This application will be forwarded to Technology Center 2100 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

A handwritten signature in dark ink, appearing to read 'Alesia M. Brown', is written over a horizontal line.

Alesia M. Brown
Petitions Attorney.
Office of Petitions